



Zoning, Permitting
& Inspections
Fauquier County Department
of Community Development
29 Ashby Street, #310
Warrenton, VA 20186

Phone: 540-347-8789
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For more information see the
Fauquier County Zoning Ordinance:

Family Dwellings:
Section 5-104

Efficiency Apartments:
Section 5-105

Tenant Houses:
Section 6-102(14)

Guest Houses:
Section 6-102(9)

Renting Rooms:
Section 6-102(31)

Accessory Dwelling Units In Fauquier County



Does the Zoning Ordinance allow me to put additional dwelling units on my property?

The Fauquier County Zoning Ordinance allows many homeowners to place a second house or apartment on their property subject to certain limitations. In addition, rooms may be rented out to boarders, and guest houses for the temporary housing of visitors are also permitted in many cases.

Whether you may have these additional living units depends on multiple factors, including the size of your property, the zoning of your property and the availability of sewer or septic capacity and water.

Each of these unit types can be approved administratively by the Office of Zoning, Permitting and Inspections, along with a building permit to construct the unit. The unit must meet all zoning ordinance requirements, such as setbacks and height. In addition, public sewer and water must be available or a health department permit for septic and water must be secured for a new unit.

The Zoning Ordinance authorizes three different types of accessory dwelling units:

- ◆ Family Dwelling Units,
- ◆ Efficiency Apartments, and
- ◆ Tenant Houses.

Each of these unit types are subject to different standards and limitations.

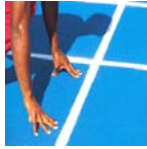
FAMILY DWELLING UNIT

A family dwelling unit is a separate dwelling unit that may be constructed on property you own and live on, to be occupied by family members. The unit may be occupied by no more than five people, and at least one of the occupants must be the parent, grandparent, child, grandchild or sibling of the property owner. This limitation to family members lasts for 10 years, after which time the unit can be rented to anyone.

The ordinance limits the size of a family dwelling unit to no more than 1,400 gross square feet in size.

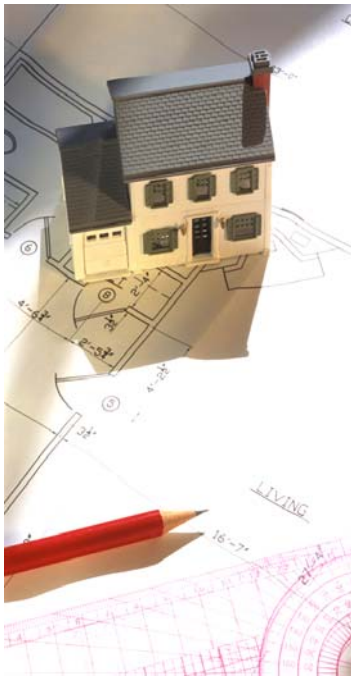
A family dwelling unit is allowed to be constructed within the rural zoning districts (RA/Rural Agriculture, RC/Rural Conservation, RR-2/Rural Residential) and within many of the residential zoning districts (R-1/Residential, R-2 Residential and R-3 Residential).

ZONING INFORMATION BULLETIN No. 3



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Subdivision

The options presented here allow you to provide additional living quarters on an existing lot.

*If you desire to **divide** your property and build a house on the newly created parcel, this is called subdivision and involves a different set of rules.*

If you are interested in subdivision, call Zoning staff at 540-347-8789 to find out about your subdivision potential.

EFFICIENCY APARTMENT

As an alternative to a Family Dwelling Unit, an Efficiency Apartment is allowed to be built on your property. An Efficiency Apartment is a separate living unit that is physically part of some other building on the property. It could be part of the main dwelling (such as a basement apartment) or part of an accessory structure (such as an apartment over a garage). The size of an efficiency apartment is limited to 600 gross square feet, or 25 percent of the gross floor area of the main dwelling, whichever is greater.

A unit built as an efficiency apartment may be occupied by no more than two people. The residents do not need to be related to the owner of the property. However, the owner of the property must live on the property.

An efficiency apartment is allowed to be constructed within the rural zoning districts (RA/Rural Agriculture, RC/Rural Conservation, RR-2/Rural Residential) and within many of the residential zoning districts (R-1/Residential, R-2 Residential and R-3 Residential).

TENANT HOUSE

A tenant house is a separate dwelling unit built on your property, intended to support agricultural use of the land. At least one of the people occupying the tenant house must work on the property, as a farm-hand, caretaker, watchman, tenant farmer, etc. There is no limit on the size of a tenant house.

Tenant houses are allowed only within the rural zoning districts (RA/Rural Agriculture, RC/Rural Conservation, RR-2/Rural Residential) and only on properties at least 50 acres in size. An additional tenant house is allowed on the property for every additional 50 acres in the lot. If you have a tenant house on your property, you are not eligible to have a Family Dwelling Unit also.

Technical Tips

Sewer: If your property is served by a septic field, building a family dwelling unit, efficiency apartment or tenant house will require a health department permit and possible construction of a new or expanded septic system. Check with the Health Department for more information on septic and water requirements (540-347-6363).

Zoning Requirements: All proposed structures must meet zoning ordinance requirements related to setbacks, height, etc. Check with the zoning office (540-347-8789) on your property's zoning to see how far from each property line any new building must be set back, and to learn other zoning limits your property may have.

Measuring Gross Floor Area: The size of an Efficiency Apartment and Family Dwelling Unit are limited by the ordinance. The size is measured in gross square feet, which generally means that all space under roof counts toward the floor area, including covered porches, storage and utility rooms, stairways, etc. Garages and any porches less than six feet in depth are excluded from gross floor area.

Renting Rooms

The Zoning Ordinance also allows you to rent up to two rooms to others on a long-term basis (i.e. monthly or yearly). Renting rooms on a daily or weekly basis is considered a boarding house or bed and breakfast, is only allowed in rural zoning districts, and then with approval of a special permit by the Board of Zoning Appeals.



Guest House

If you need additional living space to accommodate guests rather than long term residents and your property is two acres or larger in size, you may be able to build a "Guest House." A "Guest House" may not have a kitchen and cannot be used for permanent occupancy.